

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. 1:11-CV-150
)	
vs.)	
)	
)	
MICHAEL HERZBERG,)	
)	
Defendant.)	

DECLARATION OF SUZANNE H. BAUKNIGHT

I, Suzanne H. Bauknight, do declare and state as follows:

1. I am an Assistant United States Attorney assigned to the Civil Division in the Knoxville, Tennessee, office of the United States Attorney for the Eastern District of Tennessee. Included among my duties in the Civil Division is my responsibility for overseeing collection of both civil and criminal judgments entered in favor of the United States.

2. The records of the Financial Litigation Unit reflect that the defendant has not made any payments toward the judgment of \$222,074.83, plus interest and surcharge, imposed in this case. The current judgment amount including interest through August 14, 2012, is \$231,109.53.

3. In the course of my duties as the Assistant United States Attorney responsible for this collection case, I served on defendant Michael Herzberg, on April 13, 2012, post-judgment discovery requests entitled United States' First Interrogatories in Aid of Execution and United States' First Requests for Production in Aid of Execution (the "Discovery Requests"). A copy of

the Discovery Requests is attached to and made a part of this declaration as Exhibits 1 and 2, respectively.

4. On June 6, 2012, the United States informed Defendant of the United States' intent to move to compel the responses if necessary and also served an additional copy of the Discovery Requests on Defendant.

5. The information sought in the Discovery Requests is relevant to locating assets on which execution can issue or which have been fraudulently transferred, and the requests are reasonably calculated to lead to the discovery of such assets.

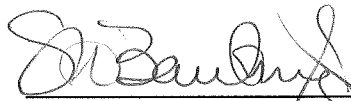
6. Defendant has not answered the interrogatories and has neither responded to the request for production of documents nor produced the documents requested.

7. I have expended in excess of 1 hour to date in preparing appropriate correspondence and the instant motion and supporting documents in attempting to obtain the subject post-judgment discovery responses from this Defendant.

8. My hourly rate, computed pursuant to Department of Justice policy on calculating attorneys' fees for AUSAs, is \$176.42.

I, Suzanne H. Bauknight, do declare and state that this declaration is true and correct and is made under penalty of perjury and pursuant to the provisions of 28 U.S.C. § 1746.

Executed this 16th day of August, 2012.



Suzanne H. Bauknight
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2012, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system. A copy was sent by regular U.S. Mail to:

Michael Herzberg
P.O. Box 566
Hixson, TN 37343

s/Suzanne H. Bauknight
Suzanne H. Bauknight
Assistant United States Attorney